

DEPARTMENT OF VETERANS AFFAIRS

**Justification and Approval (J&A)
For
Other Than Full and Open Competition**

Acquisition Plan Action ID: VA256-16-AP-9426 Remediate Audiology , Basement West, Bldg. 1

1. **Contracting Activity:** Department of Veterans Affairs, VISN 16, Overton Brooks VA Medical Center, 510 East Stoner Ave., Shreveport, LA 71101. Engineering Service Department requests sole source for construction services from DCMS, Inc. a SDVOSB company. Requisition number (2237) is 667-16-4-513-0368 to remediate Audiology, Basement West, Bldg 1.
2. **Nature and/or Description of the Action Being Processed:**
This will be a new Firm-Fixed-Price contract.
 - A. Contractor shall furnish all necessary labor, material, tools and equipment to remediate Audiology, Basement West in Building 1 on station (Project 667-16-108) as required by drawings and specifications.
 - B. Visits to the site by Bidder may be made only by appointment with the CO.
 - C. All employees of general contractor and subcontractors shall comply with VA security management program.
3. **Description of Supplies/Services Required to Meet the Agency's Needs:** Contractor will provide all the necessary labor, material, tools and equipment necessary to Remediate Mold, Replace Finishes, Replace HVAC System and Controls, and Replace roofing over the Audiology suite in the West Wing of the Basement, Building 1 (Main Hospital) at Overton Brooks VAMC, Shreveport, LA. All work shall meet code and be performed in accordance with the contract drawings and specifications.

Approximate total cost: \$430,000

Period of Performance: 120 calendar days

4. **Statutory Authority Permitting Other than Full and Open Competition:**
 - () (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
 - () (2) Unusual and Compelling Urgency per FAR 6.302-2;
 - () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;
 - () (4) International Agreement per FAR 6.302-4
 - (X) (5) Authorized or Required by Statute FAR 6.302-5; And Public Law 109-461;
 - () (6) National Security per FAR 6.302-6;
 - () (7) Public Interest per FAR 6.302-7;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):

DCMS, Inc is a SDVOSB company and have been doing business with this facility for many years and are one of our most reliable and trustworthy contractors. They have proven themselves time and time again when it comes to quality, timeliness and they care about veterans. Their proposals have always been fair and reasonable. They have completed numerous projects similar in size and scope with excellent reviews from VA Engineering and Hospital leadership. DCMS is currently finishing up a \$4.5M Emergency Department and Primary/Urgent Care project at this facility; on time, within budget and the VA staff is extremely pleased. DCMS is a local company and are currently on-site, mobilization costs will be at a minimum. This contractor is fully aware of the VA regulations, requirements and is extremely familiar with the ED driveway area; there will be no learning curve and they should be able to hit the ground running.

6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable: N/A. A sole-source SDVOSB set-aside is requested. In accordance with FAR 6.302-5 see paragraph 4 above, and Public Law 109-461, awarding contracts to Service-Disabled Veteran-Owned Small Business (SDVOSB) firms is the highest priority within the Small Business programs for VA. Consistent with the mandate and the mission of VA, participation of SDVOSBs in VA Acquisition programs is strongly encouraged. OSDDBU is the advocate that monitors the Veteran-Owned Small Business (VOSB) Program, with a special emphasis on SDVOSBs. Under the authority granted in Public Law 109-461, VA is authorized to set aside contracts and/or award sole source contracts, to SDVOSB and VOSB firms.

7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The Contracting Officer will review the proposed cost and will only award if the proposed cost is determined to be fair and reasonable. Contractor's proposal will be compared to the IGCE, to previous prices for similar work and to RS Means pricing to confirm that the proposed cost for the effort is in line with previous prices for similar services and is fair and reasonable. Certified cost or pricing data will not be required. This cost of this procurement is expected to be less than the \$700,000.00 threshold for certified cost or pricing data found in FAR 15.403-4(a)(1).

8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted: N/A. A sole-source SDVOSB set-aside is requested.

9. Any Other Facts Supporting the Use of Other than Full and Open Competition: There are only two current IDIQ contractors for this facility. One has reached maximum bond capacity and cannot bid on any projects. Multiple attempts have been made with the second IDIQ contractor to negotiate a fair and reasonable price for this project without any success. The proposal submitted for this project by the second IDIQ contractor exceeded the maximum task order limitation of \$500K by more than \$250K and exceeded the IGCE for this project by more than \$300K.

10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition: ESA South, Inc.
1681 Success Drive
Cantonment, FL 32533

11. **A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** For future procurements of construction services of the type required here, additional market research will be conducted to identify additional contractors with the specialized knowledge and experience to perform similar or compatible construction services without the government incurring additional unnecessary cost.

12. **Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.



Stacy Walden, PE
Supervisory Project Engineer
Overton Brooks VA Medical Center, Shreveport Louisiana



Date

13. **Approvals in accordance with the VHAPM, Volume 6, Chapter VI: OFOC SOP.**

a. **Contracting Officer or Designee's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Albertine L. Honore'
Contracting Officer
Network Contracting Office 16 - Biloxi

September 15, 2016

Date

b. **Director of Contracting /Designee (Required over\$150K but not exceeding \$700K):** I certify the justification meets requirements for other than full and open competition.

Calvin Ma
Deputy Director of Contracting
Network Contracting Office 16

Date